



**MINUTES**  
**Regular Meeting**  
**Reno City Council**

**Wednesday, February 11, 2015 • 12:00 PM**

**Reno City Council Chamber, One East First Street, Reno, NV 89501**

**Hillary Schieve, Mayor**

**Council Members:**

**Ward 1 – Jenny Brekhus**

**Ward 4 – Paul McKenzie**

**Ward 2 – Naomi Duerr**

**Ward 5 – Neoma Jardon**

**Ward 3 – Oscar Delgado**

**At-Large – David Bobzien**

**A     Introductory Items**

**A.1     Pledge of Allegiance**

**A.2     Observance of a Moment of Silence**

**A.3     Roll Call**

| <b>Attendee Name</b> | <b>Title</b>  | <b>Status</b> | <b>Arrived</b> |
|----------------------|---------------|---------------|----------------|
| Hillary Schieve      | Mayor         | Present       |                |
| Jenny Brekhus        | Councilmember | Present       |                |
| Naomi Duerr          | Councilmember | Present       |                |
| Oscar Delgado        | Councilmember | Late          |                |
| Paul McKenzie        | Councilmember | Present       |                |
| Neoma Jardon         | Councilmember | Present       |                |
| David Bobzien        | Councilmember | Present       |                |
| Andrew Clinger       | City Manager  | Present       |                |

*The meeting was called to order at 12:16 PM.*

**A.4     Public Comment**

Mark Markel, 48 Park Street, discussed the dangers of drinking and driving.

Eddie Lorton, Reno resident, spoke regarding the need for property procedures and to do away with \$1 per year 20-year leases.

Jim Galloway, 1100 Greensburg Circle, suggested including links to staff reports on the agenda.

**COUNCIL MEMBER DELGADO PRESENT AT 12:27 P.M.**

Maria Perez, 137 La Rue, representing the University of Nevada at Reno (UNR), discussed UNR's second annual Cultural Diversity Conference scheduled to be held February 26 & 27, 2015, on the UNR campus.

Sam Dehne, Reno resident, presented his views on several subjects.

Donna Clontz, 1940 Daylin, discussed her support for the reinstatement of Neighborhood Advisory Boards (NABs).

Jeff Church, Renocop@earthlink.net, discussed financial and public safety issues.

Richard Laspina, 2790 Wronde Way #604, expressed concern regarding several issues.

Aric Shapiro, 1995 Dickerson, Executive Director of Reno Art Works, commented in support of The Generator project.

**A.5 City Manager Announcements (Item for general announcements and informational items only. No deliberation or action will be taken on this item.)**

City Manager Clinger made several announcements.

**A.6 Approval of the Agenda (For Possible Action) - February 11, 2015.**

THE AGENDA WAS APPROVED WITH ITEMS E.9, K.1.1 AND K.1.2 WITHDRAWN AND ITEM L.4 TO BE HEARD AT A 3:00 P.M. TIME CERTAIN.

|                  |   |
|------------------|---|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                  |
| <b>MOVER:</b>    | Oscar Delgado, Councilmember                                |
| <b>SECONDER:</b> | Paul McKenzie, Councilmember                                |
| <b>AYES:</b>     | Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien |

**A.7 Approval of Minutes (For Possible Action) Approval of Minutes**

**A.7.1 Reno City Council - Concurrent - Dec 8, 2014 8:30 AM 12:50 PM**

|                  |   |
|------------------|---|
| <b>RESULT:</b>   | <b>ACCEPTED [UNANIMOUS]</b>                                 |
| <b>MOVER:</b>    | Jenny Brekhus, Councilmember                                |
| <b>SECONDER:</b> | Neoma Jardon, Councilmember                                 |
| <b>AYES:</b>     | Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien |

**A.7.2 Reno City Council - Special - Jan 7, 2015 12:00 PM 12:50 PM**

|                  |   |
|------------------|---|
| <b>RESULT:</b>   | <b>ACCEPTED [UNANIMOUS]</b>                                 |
| <b>MOVER:</b>    | Jenny Brekhus, Councilmember                                |
| <b>SECONDER:</b> | Neoma Jardon, Councilmember                                 |
| <b>AYES:</b>     | Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien |

A.7.3 Reno City Council - Concurrent - January 12, 2015. - *Withdrawn*

A.7.4 Reno City Council - Regular - Jan 14, 2015 12:00 PM 12:50 PM

|                  |   |
|------------------|---|
| <b>RESULT:</b>   | <b>ACCEPTED [UNANIMOUS]</b>                                 |
| <b>MOVER:</b>    | Jenny Brekhus, Councilmember                                |
| <b>SECONDER:</b> | Neoma Jardon, Councilmember                                 |
| <b>AYES:</b>     | Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien |

A.7.5 Reno City Council - Special - Jan 23, 2015 9:30 AM 12:50 PM

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| <b>RESULT:</b>   | <b>ACCEPTED [UNANIMOUS]</b>                                 |
| <b>MOVER:</b>    | Jenny Brekhus, Councilmember                                |
| <b>SECONDER:</b> | Neoma Jardon, Councilmember                                 |
| <b>AYES:</b>     | Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien |

## **B Cash Disbursements**

B.1 Staff Report (For Possible Action): Acceptance of Cash Disbursements Reports for January 11, 2015 through January 24, 2015. 12:52 PM

**Recommendation:** Staff recommends to accept the attached Cash Disbursements reports.

**Proposed Motion:** I move to approve staff recommendation.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                 |
| <b>MOVER:</b>    | Oscar Delgado, Councilmember                                |
| <b>SECONDER:</b> | Paul McKenzie, Councilmember                                |
| <b>AYES:</b>     | Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien |

## **C Proclamations - None.**

## **D Presentations**

D.1 Virginia Lake Dog Park Fundraising Effort - Nathan Daniel, Executive Director, Truckee Meadows Parks Foundation. 12:52 PM

Nathan Daniel, Executive Director of Truckee Meadows Parks Foundation, made the presentation.

D.2 Kietzke Lane Safety Management Plan Update - P.D. Kiser, Chief Traffic Safety Engineer, Nevada Department of Transportation. 1:06 PM

P.D. Kiser, Chief Traffic Safety Engineer, Nevada Department of Transportation (NDOT), made the presentation.

## **E Consent Agenda**

Sam Dehne, Reno resident, presented his views on the consent agenda.

ITEMS E.1 THROUGH E.9 WERE APPROVED WITH ITEM E.9 WITHDRAWN AND ITEMS E.1.D.1, E.1.D.2, E.4 AND E.7 PULLED FOR DISCUSSION.

### **E.1 Approval of Privileged Business Licenses**

#### **E.1.a New - Alcohol**

1. The Tap Wagon, Chelsea Bromley, 50 West Liberty Street, Ninth Floor, Suite 7 - Alcohol Catering (For Possible Action) [**Ward 1**]

|                  |   |
|------------------|---|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                 |
| <b>MOVER:</b>    | Jenny Brekhus, Councilmember                                |
| <b>SECONDER:</b> | David Bobzien, Councilmember                                |
| <b>AYES:</b>     | Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien |

#### **E.1.b New - Privileged**

1. Crooked Wine Company, LLC, Devlon Gene Moore, 395 East Fourth Street - Wholesale Liquor (For Possible Action) [**Ward 5**]

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                 |
| <b>MOVER:</b>    | Jenny Brekhus, Councilmember                                |
| <b>SECONDER:</b> | David Bobzien, Councilmember                                |
| <b>AYES:</b>     | Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien |

#### **E.1.c Change of Ownership - Alcohol**

1. Bighorn Bar & Grill, LLC, Ryan C. Adams, 1325 West Seventh Street, Suite G - Dining Room Alcohol (For Possible Action) [**Ward 5**]

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|------------------|---|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                 |
| <b>MOVER:</b>    | Jenny Brekhus, Councilmember                                |
| <b>SECONDER:</b> | David Bobzien, Councilmember                                |
| <b>AYES:</b>     | Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien |

#### **E.1.d Medical Marijuana - Cultivation Facility**

1. MMG Agriculture, Job Hall, 7754 Security Circle - Medical Marijuana - Cultivation Facility (For Possible Action) [**Ward 4**]

THIS ITEM WAS PULLED FOR DISCUSSION.

Council Member McKenzie asked for a presentation by staff to review the process these applicants have gone through. Michael Chaump, Business Relations Manager, presented a summary of that process.

Council Member Duerr asked for information in terms of police involvement and compliance issues. Deputy Chief Tom Robinson, Reno Police Department, provided information regarding laws that still apply with the use of a medical marijuana card.

There was discussion regarding recourses available through the State in the case of any violations or omissions by the facilities.

The following four (4) individuals presented Public Comment Forms in support of medical marijuana, but did not wish to speak: 1) Catherine Reichenberg, Esq., counsel for Medical Marijuana Group, LLC; 2) Anita Noble, 7735 Hughes Drive, President, Medical Marijuana Group, LLC; 3) Wayne Crawford, 360 Clear Creek Avenue, Security Director of Automated Risk Management Systems; and 4) Jason Strull, 1920 Gridley Street, representing 374 Labs.

COUNCIL MEMBER DUERR ABSENT AT 1:48 P.M.

The Council upheld the staff recommendation.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                          |
| <b>MOVER:</b>    | Paul McKenzie, Councilmember                         |
| <b>SECONDER:</b> | David Bobzien, Councilmember                         |
| <b>AYES:</b>     | Schieve, Brekhus, Delgado, McKenzie, Jardon, Bobzien |
| <b>ABSENT:</b>   | Naomi Duerr  |

2. Sierra Wellness Connection, Deane A. Albright, 7720 Security Circle - Medical Marijuana - Cultivation Facility (For Possible Action) [**Ward 4**]

THIS ITEM WAS PULLED FOR DISCUSSION.

The Council upheld the staff recommendation.

|                  |  |
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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                          |
| <b>MOVER:</b>    | Paul McKenzie, Councilmember                         |
| <b>SECONDER:</b> | David Bobzien, Councilmember                         |
| <b>AYES:</b>     | Schieve, Brekhus, Delgado, McKenzie, Jardon, Bobzien |
| <b>ABSENT:</b>   | Naomi Duerr  |

- E.2 Staff Report (For Possible Action): Approval of Agreement for purchase of sculpture titled Portal of Evolution from artist Bryan Tedrick in the amount of \$85,000; and approval of installation location (Room Tax Fund). 1:31 PM

**Recommendation:** Staff recommends approval of the agreement to purchase, approval of the installation location and authorize the Mayor to execute all documents.

**Proposed Motion:** I move to approve staff recommendation.

The following six (6) individuals presented Public Comment Forms in support of the purchase agreement, but did not wish to speak: 1) Crimson Rose, 2112 West Street #3, Oakland, CA; 2) Maria Partridge, 3535 Ash Fork Drive, artist advocate for Burning Man; 3) Nettie Oliverio, P.O. Box 5027; 4) Robyn Powers, 8801 White Fir Court; 5) Rich Van Gogh, 17 South Virginia Street #302; and 6) Aric Shapiro, 1995 Dickerson Road.

The Council upheld the staff recommendation.

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|------------------|---|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                 |
| <b>MOVER:</b>    | Jenny Brekhus, Councilmember                                |
| <b>SECONDER:</b> | David Bobzien, Councilmember                                |
| <b>AYES:</b>     | Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien |

E.3 Staff Report (For Possible Action): Approval of Consultant Agreement between CR Engineering and the Cities of Reno and Sparks for professional services associated with design of the Truckee Meadows Water Reclamation Facility Heating, Ventilation and Air Conditioning Selected Alternatives Project in the amount of \$157,000 with Reno's share being \$107,749.10 (Sewer Enterprise Fund). 1:31 PM

**Recommendation:** Staff recommends Council approval of an agreement with CR Engineering for professional services associated with design of the Truckee Meadows Water Reclamation Facility Heating, Ventilation and Air Conditioning Selected Alternatives Project in the amount of \$157,000 with Reno's share being \$107,749.10 (Sewer Enterprise Fund) and authorize the Mayor to sign.

**Proposed Motion:** I move to approve staff recommendation.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                 |
| <b>MOVER:</b>    | Jenny Brekhus, Councilmember                                |
| <b>SECONDER:</b> | David Bobzien, Councilmember                                |
| <b>AYES:</b>     | Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien |

E.4 Staff Report (For Possible Action): Approval of a Consultant Agreement with Jacobs Engineering for Construction Management Services for the Virginia Street Bridge Replacement Project in an amount not to exceed \$2,689,100. 1:51 PM

**Recommendation:** Staff recommends Council approval of the consultant agreement with Jacobs Engineering to provide construction management services for the Virginia Street Bridge Replacement Project in an amount not to exceed

\$2,689,100 and authorization for the Mayor to sign the agreement.

**Proposed Motion:** I move to approve staff recommendation.

THIS ITEM WAS PULLED FOR DISCUSSION.

Council Member Brekhus and Charla Honey, Public Works Engineering Manager, discussed the low contingency budget for this project. Ms. Honey explained that if the contingency were to be exceeded, the item would come before the City Council. It is not anticipated that this project will be using City of Reno contingency funds.

COUNCIL MEMBER DUERR PRESENT AT 1:57 P.M.

Council Member Brekhus and Ms. Honey had discussion regarding general reporting on this project as well as providing updates as the contingency budget is used. Council Member Brekhus requested that staff keep the Council informed as this project moves forward.

The Council upheld the staff recommendation.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                 |
| <b>MOVER:</b>    | Jenny Brekhus, Councilmember                                |
| <b>SECONDER:</b> | Oscar Delgado, Councilmember                                |
| <b>AYES:</b>     | Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien |

E.5 Staff Report (For Possible Action): Approval of a Tribal Monitoring Agreement between the Reno-Sparks Indian Colony and the City of Reno for the Virginia Street Bridge Replacement Project. 1:31 PM

**Recommendation:** Staff recommends Council approval of the agreement and authorization for the Mayor to sign the agreement.

**Proposed Motion:** I move to approve staff recommendation.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                 |
| <b>MOVER:</b>    | Jenny Brekhus, Councilmember                                |
| <b>SECONDER:</b> | David Bobzien, Councilmember                                |
| <b>AYES:</b>     | Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien |

E.6 Staff Report (For Possible Action): Approval of City Joinder to State of Nevada Vehicle Contracts #8255 and #8257 to purchase 35 replacement fleet vehicles in accordance with NRS 332.195, in amount not to exceed \$1,450,000 (Fleet Management Fund). 1:31 PM

**Recommendation:** Staff recommends Council approval of City Joinder to State of Nevada Vehicle Contracts #8255 and #8257 to purchase 35 replacement fleet vehicles, and associated outfitting equipment, in accordance with NRS 332.195, in an amount not to exceed \$1,450,000 and authorize the City Manager or his designee to execute the purchase order(s).

**Proposed Motion:** I move to approve staff recommendation.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                 |
| <b>MOVER:</b>    | Jenny Brekhus, Councilmember                                |
| <b>SECONDER:</b> | David Bobzien, Councilmember                                |
| <b>AYES:</b>     | Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien |

E.7 Staff Report (For Possible Action): Acceptance of Grant Award from the Violence Against Women's Formula Grant Program for a victim advocate for January 1, 2015 to June 30, 2015 in the amount of \$33,763. 1:59 PM

**Recommendation:** Staff recommends that City Council accept the grant award in the amount of \$33,763 from the Violence Against Women's Formula Grant Program to fund a victim advocate for January 1, 2015 to June 30, 2015.

**Proposed Motion:** I move to approve staff recommendation.

THIS ITEM WAS PULLED FOR DISCUSSION.

Council Member Duerr stated her support for this grant award.

The Council upheld the staff recommendation.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                 |
| <b>MOVER:</b>    | Naomi Duerr, Councilmember                                  |
| <b>SECONDER:</b> | Oscar Delgado, Councilmember                                |
| <b>AYES:</b>     | Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien |

E.8 Staff Report (For Possible Action): Acceptance of Donation from the Truckee Meadows Parks Foundation for tennis court repairs at the Reno Tennis Center, located at 2601 Plumas Street, in the amount of \$39,600. 1:31 PM

**Recommendation:** Staff requests that City Council accept the private donation of \$39,600 from the Truckee Meadows Parks Foundation for tennis courts repairs at the Reno Tennis Center.

**Proposed Motion:** I move to approve the staff recommendation.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                 |
| <b>MOVER:</b>    | Jenny Brekhus, Councilmember                                |
| <b>SECONDER:</b> | David Bobzien, Councilmember                                |
| <b>AYES:</b>     | Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien |

- E.9 Staff Report (For Possible Action): Approval of Bid Award and Contract for RFP 030112 to The Novak Consulting Group for an Organization and Job Analysis, and preparation for the recruitment of a new Chief of Police for the Reno Police Department in the amount of \$64,500 (General Fund). 1:31 PM

**Recommendation:** Staff recommends the approval of the contract with The Novak Consulting Group for an amount not to exceed \$64,500.

**Proposed Motion:** I move to approve staff recommendation.

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| <b>RESULT:</b> | <b>WITHDRAWN</b> |
|----------------|------------------|

**F Public Hearings - 12:15 PM**

- F.1 Staff Report (For Possible Action): Ordinance Introduction - Bill No. \_\_\_\_\_ Case No. TXT14-00004 (Recreation Uses in Greenfield Neighborhood Plan) Ordinance amending the Reno Municipal Code Title 18, "Annexation and Land Development", Chapter 18.08, "Zoning," Section 18.08.406, entitled "Neighborhood Planning Area Overlay Districts," together with other matters properly relating thereto. **[Ward 2]** 2:19 PM

**Recommendation:** The Planning Commission recommends Council approve the requested text amendment by ordinance.

**Proposed Motion:** I move to uphold the recommendation of the Planning Commission.

**Text**

**Amendment**

**First Reading:** I move to refer Bill No. \_\_\_\_\_ for a second reading and adoption.

Council Member Duerr disclosed that she lives in the Greenfield neighborhood and did receive an informal notice of a voluntary meeting that the applicant held. Council Member Duerr read the following statement into the record.

To my best knowledge, I do not have any commitments, financial ties, or obligations to anyone with a financial interest in changing the zoning. Likewise, I do not have any commitments, financial ties, or obligations to anyone with a financial interest in

keeping the current zoning intact. In general, I have not made up my mind as to whether a change in zoning is appropriate and I am open to hearing and considering the evidence and testimony being offered today. I do not believe that the fact that I live in the neighborhood will impair my ability to impartially review or render a decision upon this particular agenda item.

Mayor Schieve asked if proper notice was given.

Interim City Clerk Beaty-Benadom stated that proper notice was given and no correspondence was received.

Mayor Schieve opened the public hearing.

Nathan Gilbert, Community Development Associate Planner, provided an overview of the Staff Report. Annexation and zoning history of the neighborhood, and possible land uses were discussed.

Mayor Schieve opened the public comment portion of the hearing.

Eric Mortensen, 2150 Pheasant Lane, presented a Public Comment Form in opposition to the proposed zoning change, but did not wish to speak.

Joyce Sharp, 1616 Greenfield Drive, discussed her opposition to the proposed zoning change.

Troy Anderson, 1950 Meadowview Lane, discussed her and Barbara Hug's opposition to the proposed zoning change.

Mayor Schieve asked staff to confirm the noticing process, and whether there is a private party interested in this property.

Mr. Gilbert stated that this text amendment was initiated by the City Council on behalf of a private individual. Text amendments are typically not noticed. Given the sensitivity of the area, this particular representative volunteered to pay for the noticing costs using the City's system so the entire Greenfield Neighborhood Plan area was noticed.

Jeff Heinzen, 1990 Pheasant Lane, said that the proposal is in direct opposition to the Greenfield Neighborhood Plan which was adopted in 2007 and prohibits commercial development.

Ken Krater, 901 Dartmouth, representing the applicant, provided an overview of the history of this project and the land use.

Barbara Hug, 2125 Pheasant Lane, presented a Public Comment Form in opposition to the proposed zoning map amendment, but did not wish to speak.

Hearing and seeing no further requests to speak, Mayor Schieve closed the public comment portion of the hearing.

Mayor Schieve closed the public hearing.

It was moved by Council Member Duerr, seconded by Council Member Delgado, to remand this item back to the Planning Commission for reconsideration, and to direct staff to look into whether there is an ability to more narrowly tailor the allowed uses in correspondence with whatever deed restrictions may be on the subject parcel.

Staff agreed to host a neighborhood meeting before the Planning Commission meeting.

Motion carried.

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| <b>RESULT:</b>   | <b>NO ACTION TAKEN [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Naomi Duerr, Councilmember                                   |
| <b>SECONDER:</b> | Oscar Delgado, Councilmember                                 |
| <b>AYES:</b>     | Schieve, Brekhuis, Duerr, Delgado, McKenzie, Jardon, Bobzien |

F.2 Staff Report (For Possible Action): Ordinance Introduction - Bill No. \_\_\_\_\_ Case No. LDC15-00041 (Urban @ University) Ordinance to amend Title 18, Chapter 18.08 of the Reno Municipal Code, entitled "Zoning," rezoning a ±.24 acre subject site located on the southwest corner of the intersection of West 10th Street and North Virginia Street (935 and 941 North Virginia Street) from Multifamily – 30 units per acre/West University Neighborhood Plan Overlay (MF30/WUNP) to Mixed Use/University of Nevada Regional Center Planning Area Overlay (MU/UNRC) on two adjoining parcels; together with other matters properly relating thereto. **[Ward 5]** 3:04 PM

**Recommendation:** The Planning Commission recommends Council approve the requested zoning map amendment by ordinance.

**Proposed Motion:** I move to uphold the recommendation of the Planning Commission.

**Zoning** **Map** **Amendment**

**First Reading:** I move to refer Bill No. \_\_\_\_\_ for a second reading and

adoption.

**Proposed Motion:** I move to approve staff recommendation.

Mayor Schieve asked if proper notice was given.

Interim City Clerk Beaty-Benadom stated that proper notice was given and no correspondence was received.

Mayor Schieve opened the public hearing.

Council Member Brekhus disclosed that in 2004 when the West University Plan was adopted she was an employee for the City of Reno and was the principle author of the document that is being amended.

Nathan Gilbert, Community Development Associate Planner, presented an overview of the Staff Report.

Mayor Schieve opened the public comment portion of the hearing.

Frankie Sue Del Papa, 1441 Alta Street, discussed her concerns about parking.

There was discussion among Council Members regarding the need to address parking issues, consider changes in the area in a broader sense, and be aware of how changes made affect surrounding communities.

Council Member Duerr disclosed that she met with the applicant.

Garrett Gordon, 50 West Liberty Street, attorney representing the applicant, spoke in support of the request. The applicant believes they will be able to satisfy the parking requirement.

Mr. Gilbert reminded the Council that this item is a zone change request.

Craig Demetras, 1511 Hillside Drive, discussed concerns about parking.

Christian Christensen, 805 Ryan Lane, owner of SÜP Restaurant, presented a Public Comment Form in support of the request, but did not wish to speak.

Hearing and seeing no further requests to speak, Mayor Schieve closed the public comment portion of the hearing.

Fred Turnier, Community Development Director, stated that if this zone change is approved and the project moves forward, there will be a parking and traffic study that will consider whether a 50% parking reduction will be allowed.

Mayor Schieve closed the public hearing.

The Council upheld the staff recommendation and referred Bill No. 6929 for a second reading and adoption.

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| <b>RESULT:</b>   | <b>FIRST READ [UNANIMOUS]</b>                               |
| <b>MOVER:</b>    | Neoma Jardon, Councilmember                                 |
| <b>SECONDER:</b> | Naomi Duerr, Councilmember                                  |
| <b>AYES:</b>     | Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien |

F.3 Staff Report (For Possible Action): Ordinance Introduction - Bill No. \_\_\_\_\_ Case No. LDC15-00038 (Reno Student Housing) Ordinance to amend Title 18, Chapter 18.08 of the Reno Municipal Code, entitled "Zoning," rezoning a  $\pm 0.75$  acre subject site located on the west side of North Virginia Street,  $\pm 200$  feet north of its intersection with 15th Street (1551 North Virginia Street) from Multifamily-30 units per acre/West University Neighborhood Plan Overlay (MF30/WUNP) on  $\pm 0.39$  acres and Multifamily-14 units per acre/West University Neighborhood Plan Overlay (MF14/WUNP) on  $\pm 0.36$  acres to Mixed Use/University of Nevada Regional Center Planning Area Overlay (MU/UNRC) on two adjoining parcels; together with other matters properly relating thereto. [Ward 5] 3:29 PM

**Recommendation:** The Planning Commission recommends Council approve the requested zoning map amendment by ordinance.

**Proposed Motion:** I move to uphold the recommendation of the Planning Commission.

| <u>Zoning</u> | <u>Map</u> | <u>Amendment</u> |
|---------------|------------|------------------|
|---------------|------------|------------------|

**First Reading:** I move to refer Bill No. \_\_\_\_\_ for a second reading and adoption.

Mayor Schieve asked if proper notice was given.

Interim City Clerk Beaty-Benadom stated that proper notice was given and no correspondence was received.

Mayor Schieve opened the public hearing.

Council Member Brekhus disclosed that in 2004 when the West University Plan was adopted she was an employee for the City of Reno and was the principle author of the document that is being amended.

Mayor Schieve opened the public comment portion of the hearing.

Michelle Cobb, 1445 Genesee Drive, expressed support for the proposed new student housing.

Hearing and seeing no further requests to speak, Mayor Schieve closed the public comment portion of the hearing.

Council Member Jardon disclosed that she met with the developer.

Council Member McKenzie expressed support if Council can instruct that no reduction in parking will be allowed.

Fred Turnier, Community Development Director, stated that staff takes into consideration Council's discussions when looking at the parking analysis.

Council Member Duerr asked what was driving the developer's request.

Erin Fields, applicant, stated that the parking reduction was part of the motivation for the request. To impose the residential multi-use parking requirement on something like this in this location is too strict and is a deal killer.

Council Member Duerr asked if there is a way to condition this to come back to the Council.

Mr. Gilbert stated that conditions cannot be placed on a zoning map amendment.

Mayor Schieve closed the public hearing.

The Council upheld the staff recommendation and referred Bill No. 6930 for a second reading and adoption.

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| <b>RESULT:</b>   | <b>FIRST READ [5 TO 2]</b>               |
| <b>MOVER:</b>    | Neoma Jardon, Councilmember              |
| <b>SECONDER:</b> | Oscar Delgado, Councilmember             |
| <b>AYES:</b>     | Schieve, Duerr, Delgado, Jardon, Bobzien |
| <b>NAYS:</b>     | Jenny Brekhus, Paul McKenzie             |

#### **F.4 0 Lemmon Drive & 0 Military Road**

F.4.1 Staff Report (For Possible Action): Case No. LDC15-00035 (0 Lemmon Drive & 0 Military Road MPA/ZMA) Request for: 1) a Master Plan amendment to change the land use designation from Parks/Recreation/Open Space on  $\pm 25.63$  acres and Mixed Residential on  $\pm 105.15$  acres to Parks/Recreation/Open Space on  $\pm 25.03$  acres and Industrial on  $\pm 105.75$  acres; and 2) a zoning map amendment to change the zoning from Arterial Commercial (AC) on  $\pm .17$  acres, Large Lot Residential – 2.5 Acres (LLR2.5) on  $\pm 24.91$  acres, Single Family Residential – 4,000 square feet (SF4) on  $\pm 26.12$  acres and Single Family Residential – 6,000 square feet (SF6) on  $\pm 79.58$  acres to Open Space (OS) on  $\pm 25.03$  acres and Industrial Commercial (IC) on  $\pm 105.75$  acres. The subject area includes four parcels totaling  $\pm 130.78$  acres located east of Military Road and west of Lemmon Drive,  $\pm .36$  miles north of their intersection. **[Ward 4]**

**Recommendation:** The Planning Commission recommends Council approve the requested Master Plan amendment by resolution and zoning map amendment by ordinance.

**Proposed Motion:** I move to uphold the recommendation of the Planning Commission.

**Master Plan Amendment**

I move to adopt Resolution No. \_\_\_\_\_.

**Zoning Map Amendment**

**First Reading:** I move to refer Bill No. \_\_\_\_\_ for a second reading and adoption.

|                |                  |
|----------------|------------------|
| <b>RESULT:</b> | <b>WITHDRAWN</b> |
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F.4.2 **Resolution No. :** (For Possible Action): Resolution No. \_\_\_\_\_ Case No. LDC15-00035 (0 Lemmon Drive & 0 Military Road MPA/ZMA) Resolution to amend Resolution No. 5673 by adopting a change to the Land Use Plan of the Reno Master Plan as approved in Case No. LDC15-00035. **[Ward 4]**

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| <b>RESULT:</b> | <b>WITHDRAWN</b> |
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F.4.3 (For Possible Action): Ordinance Introduction - Bill No. \_\_\_\_\_ Case No. LDC15-00035 (0 Lemon Drive & 0 Military Road MPA/ZMA) Ordinance to amend Title 18, Chapter 18.08 of the Reno Municipal Code, entitled "Zoning", rezoning four parcels totaling  $\pm 130.78$  acres located east of Military Road and west of Lemmon Drive,  $\pm .36$  miles north of their intersection from Arterial Commercial (AC) on  $\pm .17$  acres, Large Lot Residential – 2.5 acres (LLR2.5) on  $\pm 24.91$  acres, Single Family Residential – 4,000 square feet (SF4) on  $\pm 26.12$  acres and Single Family Residential – 6,000 square feet (SF6) on  $\pm 79.58$  acres to Open Space (OS) on  $\pm 25.03$  acres and Industrial Commercial (IC) on  $\pm 105.75$  acres; together with other matters properly relating thereto. **[Ward 4]**

|                |                  |
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| <b>RESULT:</b> | <b>WITHDRAWN</b> |
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F.5 Staff Report (For Possible Action): Ordinance Introduction - Bill No. \_\_\_\_\_ Case No. LDC15-00029 (Sierra Senior Care PUD Handbook) Ordinance to amend Title 18, Chapter 18.08 of the Reno Municipal Code, entitled "Zoning", Section 18.08.102(b).1318, to change the text in the PUD Handbook to: add a two story, 44 unit multi-family development as an alternative to the assisted living/skilled nursing use designated for the south  $\pm 1.91$  acres of the  $\pm 5.09$  acre PUD located in the area bounded by Mountain View Drive to the north just south of its intersection with Audubon Way and Beck Street to the east in a PUD (Planned Unit Development) zone; together with other matters properly relating thereto. **[Ward 2] 3:52 PM**

**Recommendation:** The Planning Commission recommends Council approve the requested zoning map amendment by ordinance, subject to Condition A, as modified \_\_\_\_\_ in \_\_\_\_\_ this \_\_\_\_\_ report.

**Proposed Motion:** I move to uphold the recommendation of the Planning Commission.

| <u><b>Zoning</b></u> | <u><b>Map</b></u> | <u><b>Amendment</b></u> |
|----------------------|-------------------|-------------------------|
|----------------------|-------------------|-------------------------|

**First Reading:** I move to refer Bill No. \_\_\_\_\_ for a second reading and adoption.

Mayor Schieve asked if proper notice was given.

Interim City Clerk Beaty-Benadom stated that proper notice was given and no correspondence was received.

Mayor Schieve opened the public hearing.

Angela Fuss, CFA, representing the applicant, presented information regarding this zoning map amendment request.

Council Member Brekhus expressed concern with the Planned Unit Development (PUD) process and the level of specificity.

Mayor Schieve opened the public comment portion of the hearing.

Ken Krater, 901 Dartmouth Drive, stated that this project is the perfect example of why small PUDs work in neighborhood settings. Mr. Krater also spoke regarding traffic calming efforts and is in favor of the request.

The following three (3) individuals presented Public Comment Forms in opposition to the proposed PUD amendment, but did not wish to speak: 1) Donna Keats, 2265 Sunrise Drive; 2) Sandi DeSilva, Mountain View Drive; and 3) Carmen Gage, 2255 Sunrise Drive.

Hearing and seeing no further requests to speak, Mayor Schieve closed the public comment portion of the hearing.

Council Member Duerr disclosed that she met with the applicant and is impressed with the concept of the project.

Council Member Brekhus stated that she can support this project but it raises questions about the process. This PUD will be stuck with a very narrow product specification. A preferred approach would be if in five years this does not get built, the developer would give up their vesting rights for a PUD and not oppose a Council initiated zoning change.

Council Member McKenzie stated he will not oppose the project, but the process needs to be addressed. PUDs should not be approved without a deadline.

Mayor Schieve closed the public hearing.

The Council upheld the staff recommendation and referred Bill No. 6931 for a second reading and adoption.

|                  |   |
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| <b>RESULT:</b>   | <b>FIRST READ [UNANIMOUS]</b>                               |
| <b>MOVER:</b>    | Naomi Duerr, Councilmember                                  |
| <b>SECONDER:</b> | Neoma Jardon, Councilmember                                 |
| <b>AYES:</b>     | Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien |

**G Ordinances - Adoption - None.**

**H Resolutions**

**I Ordinances - Introduction**

**J Standard Department Items**

**Parks, Recreation & Community Services**

J.1 Staff Report (For Possible Action): Discussion, direction to staff and possible approval of a Financing Plan and Schedule of Construction proposed by Northern Nevada Youth Golf Foundation, D/B/A The First Tee of Northern Nevada ("TFT"), as required by the Option Agreement pertaining to the long-term lease, operation, and development of Rosewood Lakes Golf Course; and authorization of the City Manager to approve TFT's forthcoming plans, specifications and cost estimates for the Project improvements as a condition precedent to entering the lease.  
10:39 PM

**Recommendation:** Staff recommends City Council accept the staff report and approve the recommendations in the associated staff reports

**Proposed Motion:** I move to approve staff recommendation.

Bill Thomas, Assistant City Manager, provided background information on this item and the change from an 18-hole golf course to a 9-hole golf course as the result of a fire at the facility that burned down a building containing equipment that would have been used for an 18-hole golf course.

DUERR ABSENT AT 10:44 P.M.

There was discussion regarding the length of the lease, greens fees, and the insurance settlement details.

Robert Sader, Board of Directors for First Tee, explained the organization's structure. Tom Duncan, Duncan Golf Management, is the professional operator and First Tee is a non-profit organization committed to youth development. Duncan's operating company is also a non-profit.

DUERR PRESENT AT 10:49 P.M.

The Council upheld the staff recommendation.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                 |
| <b>MOVER:</b>    | Neoma Jardon, Councilmember                                 |
| <b>SECONDER:</b> | Oscar Delgado, Councilmember                                |
| <b>AYES:</b>     | Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien |

### City Manager

J.2 Staff Report (For Possible Action): Update, discussion and potential direction regarding reinstatement of Neighborhood Advisory Boards (NABs). 10:54 PM

**Recommendation:** Staff recommends that Council accept the staff report and approve the recommendation to implement the revised Neighborhood Advisory Board Program.

**Proposed Motion:** I move to accept the staff report and approve staff's recommendation.

The following two (2) individuals presented Public Comment Forms in support of reinstating the Neighborhood Advisory Boards (NABs), but did not speak: 1) Jay Kolbit-Clausell, 4839 Eaglewood Court; and 2) Jerry Valenti, 1300 Humboldt Street.

THIS ITEM WAS CONTINUED TO A SPECIAL MEETING TO BE HELD AT 10:00 A.M. ON FEBRUARY 25, 2015.

|                  |   |
|------------------|---|
| <b>RESULT:</b>   | <b>CONTINUED [UNANIMOUS]</b>                                |
| <b>MOVER:</b>    | Oscar Delgado, Councilmember                                |
| <b>SECONDER:</b> | Naomi Duerr, Councilmember                                  |
| <b>AYES:</b>     | Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien |

J.3 Staff Report (For Possible Action): Presentation and acceptance of Core Services Review: Public Works and Parks, Recreation, and Community Services Report from Novak Consulting, discussion and potential direction to staff. 10:55 PM

**Recommendation:** Staff recommends the Council accept the report.

**Proposed Motion:** I move to approve staff recommendation.

THIS ITEM WAS CONTINUED TO A SPECIAL MEETING TO BE HELD AT 10:00 A.M. ON FEBRUARY 25, 2015.

|                  |   |
|------------------|---|
| <b>RESULT:</b>   | <b>CONTINUED [UNANIMOUS]</b>                                |
| <b>MOVER:</b>    | Naomi Duerr, Councilmember                                  |
| <b>SECONDER:</b> | Neoma Jardon, Councilmember                                 |
| <b>AYES:</b>     | Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien |

J.4 Discussion and potential direction to staff to prepare a resolution changing the meeting commencement time of regular City Council meetings to 10:00 AM; and other matters related thereto. 10:56 PM

The Council discussed several options, but no action was taken.

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|----------------|------------------------|
| <b>RESULT:</b> | <b>NO ACTION TAKEN</b> |
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## **K City Clerk**

### **K.1 Citizen Appointments to Boards and Commissions**

K.1.1 Staff Report (For Possible Action): Discussion and potential appointment and/or reappointment of up to three individuals to the Building Enterprise Fund Advisory Committee from the following pool of applicants, listed in alphabetical order: Tony Abreu, Teresa Di Loreto, John Foley, Gary Guzelis, Brooks Mancini, Bobbie Merrigan, Randall Rice, Art Sperber (reappointment), Mary Sullivan (reappointment) and/or Craig Willcut (reappointment).

**Recommendation:** Staff recommends Mayor and Council make the necessary appointments as noted in the staff report.

**Proposed Motion:** I move to approve staff recommendation.

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| <b>RESULT:</b> | <b>WITHDRAWN</b> |
|----------------|------------------|

K.1.2 Staff Report (For Possible Action): Discussion and potential appointment of one Member and two Alternates to the Truckee Meadows Regional Planning Commission from the following pool of applicants, listed in alphabetical order: Peter Gower, Charles Reno, and/or Kathleen Turner.

**Recommendation:** Staff recommends that the Mayor and Council make the necessary appointments as noted in the staff report and rosters for each appointment.

**Proposed Motion:** I move to uphold the staff recommendation.

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| <b>RESULT:</b> | <b>WITHDRAWN</b> |
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**K.2 Elected Official Appointments to Boards and Commissions****L Mayor and Council****L.1 Identification of Mayor and Council Items for future agendas of the Reno City Council. (For Possible Action) 11:03 PM**

Council Member Brekhus requested: 1) a follow-up on the property inventory review; and 2) a discussion and potential direction to staff with regard to the ReTRAC parcels (excluding The Generator parcels).

Mayor Schieve requested a report, perhaps during the budget process, regarding staff positions that need to be filled.

Council Member McKenzie requested a discussion and potential direction to staff regarding the possibility of closing Virginia Street from Fourth Street south to the Truckee River to establish a temporary pedestrian mall during construction of the Virginia Street Bridge.

Council Member Bobzien requested a report regarding the City's involvement in the Ukraine.

Council Member Duerr requested a discussion and potential direction to staff regarding the possibility of implementing 750' noticing requirements for text amendments.

Council Member Jardon requested a presentation on the City's Sphere of Influence and why the City of Reno is making decisions that affect Washoe County residents.

Council Member Delgado requested a resolution to have the City and U.S. Army Corps of Engineering work together to consider the impacts of the Southeast Connector Project.

**L.2 Liaison Reports**

Council Member Duerr reported that she spoke with the Reno Arts and Culture Commission about The Generator project.

**L.3 Reports from any conferences or professional meetings. 11:18 PM**

Council Member Brekhus reported that she attended a gathering of State Forestry Conservation Officers and spoke about Reno's Urban Forestry Program.

L.4 Staff Report (For Possible Action): Interviewing of Finalists, discussion and possible appointment of a City Clerk pursuant to Reno City Charter Sec. 1.070, which Finalists were selected from the following pool of applicants, listed in alphabetical order: Brown, Buffy Jo; Cafferata-Jenkins, Caren; Chaump, Michael; Lawson, Cherry L.; Turney, Ashley D.; or Valdez, Louie. 4:44 PM

**Recommendation:** Staff recommends Council conduct interviews of Finalists in accordance with the process previously determined by Council, and select one Finalist for appointment to the position of City Clerk.

**Proposed Motion:** I move to approve appoint \_\_\_\_\_ to the position of City Clerk.

A RECESS WAS CALLED AT 4:10 P.M. AND UPON RECONVENING AT 4:44 P.M. ALL WERE PRESENT.

Mayor Schieve asked if anyone from the public wished to speak.

Corey Bond, 785 North Maddux Drive, stated his support for Michael Chaump.

The following three (3) individuals presented Public Comment Forms in support of Michael Chaump, but did not wish to speak: 1) Luci Ramos, 8018 Anchor Point Drive; 2) Amber Drlik, 6303 Park Place; and 3) Laurie Pedrick, 1941 Canyon Ridge.

Louie Valdez made an introductory statement and was interviewed by the Council Members for the City Clerk position.

Buffy Jo Brown made an introductory statement and was interviewed by the Council Members for the City Clerk position.

Caren Cafferata-Jenkins made an introductory statement and was interviewed by the Council Members for the City Clerk position.

Michael Chaump made an introductory statement and was interviewed by the Council Members for the City Clerk position.

Ashley Turney made an introductory statement and was interviewed by the Council Members for the City Clerk position.

THE DELIBERATION PORTION OF THIS ITEM WAS CONTINUED TO LATER IN THE MEETING.

THIS ITEM WAS LATER CONTINUED TO A SPECIAL MEETING TO BE HELD AT 10:00 A.M. ON FEBRUARY 25, 2015.

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| <b>RESULT:</b>   | <b>CONTINUED [UNANIMOUS]</b>                                |
| <b>MOVER:</b>    | Oscar Delgado, Councilmember                                |
| <b>SECONDER:</b> | Neoma Jardon, Councilmember                                 |
| <b>AYES:</b>     | Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien |

L.5 Discussion and potential direction to the City Manager to utilize two or more hours of staff time to create a blight initiative. **[Delgado]** 11:19 PM

The Council authorized the use of two or more hours of staff time to explore the issue.

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|------------------|---|
| <b>RESULT:</b>   | <b>APPROVAL [UNANIMOUS]</b>                                 |
| <b>MOVER:</b>    | Jenny Brekhus, Oscar Delgado                                |
| <b>SECONDER:</b> | Naomi Duerr, Councilmember                                  |
| <b>AYES:</b>     | Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien |

## **M Public Hearings - 6:00 PM**

M.1 Staff Report (For Possible Action): Case No. LDC15-00032 (Summit Sierra Master Signage Plan) Request for a special use permit to modify the freestanding sign standards of the Redfield Regional Center Plan to: 1) increase the number of freestanding signs; 2) increase their heights; 3) increase their square footage; and 4) add a ±73 foot tall electronic reader board sign. The ±55.86 acre site is located in the area bounded by I-580 to the north, South Virginia Street to the east and the Mt. Rose Highway to the south in the Mixed Use/Redfield Regional Center Planning Overlay (MU/RRC) zones. The site has a Master Plan land use designation of Special Planning Area/Redfield Regional Center/Retail Commercial/Academic. This project was appealed by Scenic Nevada. **[Ward 2]** 6:42 PM

**Recommendation:** The Planning Commission recommends Council approve the requested special use permit, subject to the conditions contained in Exhibit A attached to this report

**Proposed Motion:** I move to uphold the recommendation of the Planning Commission.

Council Member Jardon made the following disclosure: A family member has retained the services of the law firm of McDonald Carano Wilson for representation on a private matter. McDonald Carano Wilson represents clients before City Council on a variety of issues. Regarding this agenda item, it does not affect or financially benefit or harm me or my family regarding the legal services received from McDonald Carano Wilson. My professional relationship with McDonald Carano Wilson will not have any bearing on my

ability to impartially review and render a decision upon this particular agenda item. Further, after consultation with Legal Counsel and the Executive Director of the Nevada Commission on Ethics, I understand that the judgment of a reasonable person in my position would not be affected by the business relationship with McDonald Carano Wilson. Council Member Jardon also disclosed that she met with representatives from the Summit Sierra Mall.

Council Member Brekhus made the following disclosure: I supported the 2000 People's Petition to ban new billboards in the City of Reno. I voted for the ban and also provided a modest financial contribution to Scenic Nevada's ballot campaign to assist in their efforts. After the successful People's Petition spearheaded to ban new billboards within the City of Reno, I was asked by Scenic Nevada to sit on their Advisory Board. I did so for a brief period of time but then realized that as a City employee at the time, I did not want to have an established relationship with an organization that conducted ongoing advocacy for City policy and regulations. My tenure as a Board Member lasted for less than a year I estimate. In 2011 as a public policy consultant in private practice, I was hired by Scenic Nevada for a period of less than nine months to assist them with organizational development and planning issues. I am disclosing the above so that the public will understand my past association with Scenic Nevada. My ability to participate in this special use permit sign request for the Summit Sierra Mall is not clouded by this association. I am open-minded to all points related to the role of signage in a community and am capable of analyzing and coming to decisions in an unbiased manner, based upon the many factors and considerations that a reasonable person would take into account in deciding how signage should be regulated.

Council Member Delgado disclosed that he met with the applicant, visited the site, received emails in opposition, and is open-minded enough to make sure that he is not biased to any one party.

Mark Wray, 608 Lander Street, attorney representing Scenic Nevada, the appellant, stated that on March 29, 2000, Scenic Nevada filed a petition with the Reno City Clerk which stated new off-premises advertising displays billboards in the City of Reno are prohibited and the City of Reno may not issue permits for their construction. After collecting 7,381 ballot signatures to qualify this for the ballot, the initiative passed by 57% of the vote in the general election of the year 2000. A suit was filed to stop the ballot initiative and Scenic Nevada participated in that litigation filing an amicus brief through Chris Wicker of Woodburn and Wedge to the Nevada Supreme Court resulting in a published decision, in which Scenic Nevada had standing. Mr. Wray reviewed Scenic Nevada's standing history with various public bodies. In standing matters it is appropriate to articulate the legal basis of the injury. Scenic Nevada would articulate the legal basis of the injury under the Reno Municipal Code Section 18.16.101, which is the purpose of sign ordinances. The purpose is to promote the public health, safety, general welfare, and

aesthetics by regulating and controlling the size, number, height, and location of on-premises signs. In addition, the legal basis for Scenic Nevada's injury are the specific sign standards adopted for the Steamboat Specific Plan that were adopted by the City when the Summit Sierra Mall property was annexed in 2004, and which the current proposed sign violates. The legal basis for Scenic Nevada's standing includes the Statutes of Nevada, the decisions of the Nevada Supreme Court, and Reno Municipal Ordinances. Mr. Wray referred to the City Attorney's letter and added that an aggrieved party is a person whose personal rights or right of property is adversely and substantially affected by the action of a discretionary body. Mr. Wray provided more facts as to how Scenic Nevada members are aggrieved and stated that standing is not limited to adjacent property owners. Scenic Nevada believes they have more than adequate grounds for standing in this case.

John Frankovich, 100 West Liberty Street, 10th Floor, attorney representing the owners and operators of The Summit Sierra Shopping Center, presented his position on whether or not Scenic Nevada has standing. Appearing and testifying at a public hearing does not grant standing. You have to be aggrieved and that has been defined as one whose personal or property rights have been adversely or substantially affected. The effect on the property rights must be peculiar to the appellant. Scenic Nevada has no personal or property right that is affected. Not every member of the public in every instance should be allowed to appeal a land use decision, especially when it is related to a special use permit. Based on the City Attorney's opinion letter, everybody has standing and that is not what the standing requirement is under Reno Municipal Code. Allowing that standing here could potentially permit land use decisions on individual property rights to be tied up on court for years. Mr. Frankovich stated that they do not believe that Scenic Nevada has satisfied the standing requirement.

Council Member Brekhus discussed the process of policy discussions and decisions. Requiring that a party own property reside nearby in order to have standing would negate all the other work in building a community. Council Member Brekhus agreed with the City Attorney's letter stating that Scenic Nevada does have standing.

Council Member Jardon asked how the City Attorney came to his conclusion on standing with regard to determining visual pollution. Karl Hall, Reno City Attorney, stated that his conclusion in this particular case was based on the following: Scenic Nevada appeared at the Reno Planning Commission and voiced opposition to the sign; the broad nature of Reno's sign statute; and due process which encourages participation of our community.

Council Member Bobzien related past legislative experience regarding the definition of aggrieved and an attempt to narrow a broad understanding of standing. Council Member

Bobzien stated that he leans toward a broad definition of aggrieved when determining standing.

It was moved by Council Member Brekhus, seconded by Council Member Duerr, that Scenic Nevada is aggrieved and does have standing to appeal the decision of the Planning Commission.

Motion carried.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                 |
| <b>MOVER:</b>    | Jenny Brekhus, Councilmember                                |
| <b>SECONDER:</b> | Naomi Duerr, Councilmember                                  |
| <b>AYES:</b>     | Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien |

**Motion:** Motion

Mr. Wray discussed the merits of the appeal and why Scenic Nevada believes it is reasonable and fair to deny the Special Use Permit (SUP) for this digital sign. It is fair because every other developer has complied with the sign standards in this Specific Plan Area for many years. It is reasonable because the sign standards of the Steamboat Specific Plan and ensuing plans resulted from many years of careful planning and law-making for the benefit of all who live and work there. The applicant also does not qualify as a locally owned or operated business since they are located in New York. Mr. Wray also discussed the City of Reno's initial staff report recommending this SUP be denied, and stated staff's recommendation changed after negotiating with the applicant. All of the SUP findings are required to be made and the initial staff report from the City stated that five of those findings could not be made. Mr. Wray reviewed those 5 findings and asked that this SUP be denied.

Vern Kloos, Community Development Senior Planner, reviewed information on the project that was approved by the Reno Planning Commission on December 11, 2014. The staff recommendation change was partially based on the understanding that the site could allow by right up to five off-premises billboards, including digital, depending on the outcome of the lawsuit challenging the new off-premises digital ordinance. The change was also based on the applicant's agreement to conditions. The Reno Planning Commission could make the findings necessary to approve the SUP in conjunction with the recommended conditions.

Council Member Brekhus expressed concern regarding the process and the fact that the Reno Planning Commission had the impression that off-premises signs were allowed on the site when making their decision.

Mayor Schieve asked if proper notice was given.

Interim City Clerk Beaty-Benadom stated that proper notice was given and a letter of support from John Frankovich and 51 letters and a petition with over 260 signatures and comments were received in opposition to the requested signage.

Mayor Schieve opened the public hearing.

Alexia Bratiotis, 2805 Ashley Park Drive, Sparks, representing G & V VII Reno Retail LLC, The Summit Sierra, and Bayer Properties, discussed details of The Summit Sierra Mall and stated that the proposed sign was designed to match architectural elements consistent with the Center. Ms. Bratiotis discussed efforts made to address public concerns and referenced the significant conditions they agreed to in order to secure this project.

Stephanie Grigsby, 3379 Warr Road, South Lake Tahoe, CA, representing Design Workshop and the applicant, discussed design details of the proposed signage.

Mike Freeborg, Director of Government Relations for YESCO Electronics, discussed the economic value of the proposed sign and brightness issues. Impacts of the sign have been mitigated.

Mr. Frankovich spoke in favor of the proposed sign stating that it meets every City code requirement for digital signs, both on-premises and off-premises.

Mayor Schieve opened the public comment portion of the hearing.

The following two (2) individuals presented Public Comment Forms in support of the proposed Special Use Permit (SUP), but did not wish to speak: 1) Nicole Carlsen, 180 Summerset Drive, Verdi; and 2) Valerie Glenn, 1665 Circle Drive.

The following five (5) individuals spoke in support of the proposed SUP: 1) Tray Abney, 449 South Virginia Street, representing The Chamber; 2) James Carpentier, 1001 North Fairfax, Alexandria, VA; 3) David Garrick, 1796 Cavern Drive, operator of DeVons Jewelers at The Summit Mall; 4) Angela Robinson, 2743 Shadow Dancer Trail; and 5) Jim Rummings, Washoe Valley.

The following thirteen (13) individuals presented Public Comment Forms in opposition to the proposed signage, but did not wish to speak: 1) Susan Pitts, 13125 Welcome Way; 2) Julie Woodard, 9455 Sky Vista Parkway #6G; 3) Karen Critor, 445 Puma Drive, Washoe Valley; 4) Kathryn Murders, 4280 Drake Way, Washoe Valley; 5) Rose Healion, 620 Gordon Avenue; 6) Renate Neumann, 1 Elm Court; 7) Charles Ragusa, 662 Tarn Way; 8) Rosemary Gulpide, 1000 Whites Creek Lane; 9) Jan Flanagan, 1460 Bermuda;

10) Katherine Pendergast, 2758 Shadow Dancer Trail; 11) Tim Healion, 620 Gordon Avenue; 12) Lyn Hawkins, 529 Cheney Street; and 13) Kay Runyan, 10095 Ariane Street.

The following 25 individuals spoke in opposition to the proposed signage: 1) Jim Galloway, 1100 Greensburg Circle; 2) James Call, 7450 Northcreek Drive; 3) Tony Berandsan, 4520 Lynnfield Court; 4) Peter Chase Neumann, 1 Elm Court; 5) Jerry Lambert, 13815 Kewanna Trail; 6) Lori Wray, 2802 Outlook Drive; 7) George Rapp, 13845 Chaney; 8) William Naylor, 1005 Dunbar Drive, Washoe Valley; 9) Douglas Rands, 9798 Double R Boulevard; 10) Linda Kelly, 17000 Wedge Parkway #1422; 11) Jack Janney, 17000 Wedge Parkway, Unit 211; 12) Jay Lawson, 1020 Petes Way, Sparks; 13) Betsy Greenspan, 13890 Chamy Drive; 14) Joe Jauregui, 2710 Ramona Road; 15) Caron Tayloe, 210 Waterman Court; 16) Carol-Lynn Gaudio, 1641 Ashworth Court; 17) Loretta Low, 12 Lightning W Ranch Road; 18) Linda Barkhoff, 1305 Greensburg Circle; 19) Barbara Rainey, 15120 Westwind; 20) Cliff Low, 12 Lightning W Ranch Road; ; 21) Eric Scheetz, 16780 Drycreek; 22) Jack Hawkins, 529 Cheney Street; 23) Margaret McDonald-Scarborough, 12420 Creek Crest Drive; 24) Marilyn Naylor, 1005 Dunbar Drive, Washoe Valley; and 25) Marilyn R. Melton, 2547 Edgerock.

The following individual submitted a Public Comment Form in opposition to the SUP, but did not speak: Kay Runyan, 10095 Ariane Street.

Mayor Schieve closed the public comment portion of the hearing.

Council Member Brekhus discussed concerns regarding the process and the misinformation the Planning Commission had when making a decision, and stated that she cannot make the findings.

Council Member Duerr commended staff's efforts in working with the applicant to reduce the impacts of the proposed digital sign but said that she cannot make the findings, specifically a, e, f, and g.

Council Member Jardon discussed a letter to Reno's Community Development Department from University of Nevada Reno (UNR) representatives stating that after meeting with Summit Sierra representatives to discuss the height, size, brightness, and flip time of the proposed sign, UNR does not have any concerns regarding the sign.

Mr. Frankovich confirmed that he did meet with UNR representatives and addressed their concerns.

Council Member Jardon requested clarification of the earlier mentioned negotiation with the applicant regarding the number of billboards that would be allowed on the site.

Vern Kloos, Community Development Senior Planner, stated that staff originally thought that billboards were allowed on the site, and if they were allowed, there would be room for three of them along I-580 and two along South Virginia Street. Subsequent information indicated that the site was not zoned for that and no off-premises billboards are allowed on the site.

Jonathan Shipman, Deputy City Attorney, concurred with staff that off-premises billboards are not permitted.

Mr. Frankovich disagreed with staff's interpretation, stating that the original Redfield Plan did say off-premises signs are not a permitted use within the Redfield Plan. That Plan has been amended several times and the current plan has no such prohibition.

Council Member Jardon stated that the earlier comment about the owner of The Summit Sierra Mall not being local is immaterial, and requested clarification on whether or not the applicant did attempt to meet with Scenic Nevada.

Mr. Wray stated that Mr. Frankovich called his office asking about a potential settlement that could be reached. Mr. Wray stated that his response was that they are not in the business of telling them what they can and cannot do but what was proposed was not acceptable.

Council Member Brekhus and a Scenic Nevada representative discussed the original staff report prepared for the December 4, 2014, Planning Commission meeting. The Scenic Nevada representative confirmed that they attended the December 4, 2014, meeting intending to support staff's recommendation and were surprised to hear at the meeting that the recommendation had been changed.

There was discussion regarding staff's change in recommendation since the issue was heard at the Planning Commission. Discussion included clarifying information that should be included if the item is remanded back to the Planning Commission.

Mayor Schieve discussed possible ideas for a compromise between Scenic Nevada and the applicant, and stressed the importance of working together to find a compromise.

Mayor Schieve closed the public hearing.

It was moved by Council Member Duerr, seconded by Council Member Bobzien, to remand this item back to the Planning Commission for additional fact finding and actions within their jurisdiction.

There was discussion regarding the appeal process and the status of the appeal if the item is remanded back to the Planning Commission.

Mr. Shipman stated that he looked up the code on appeals and it does not state that remanding back to the Planning Commission is an option.

Council Member Brekhus asked the applicant if they would like to pull the application if a decision to deny was going to be made.

Mr. Frankovich said no.

Council Member Duerr withdrew her motion and the second concurred.

Mr. Kloos confirmed that if the request is denied, the applicant cannot apply again for the same signs for one year.

It was moved by Council Member Duerr, seconded by Council Member McKenzie to deny the request for one 25.5 foot tall, 180 square foot freestanding center and tenant identification sign; and one 71 foot tall, 950 square foot center identification sign with a 646 square foot electronic component. Findings b, c, d and h could be made, while findings a, e, f and g could not be made.

Motion carried.

|                  |   |
|------------------|---|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                 |
| <b>MOVER:</b>    | Naomi Duerr, Councilmember                                  |
| <b>SECONDER:</b> | Paul McKenzie, Councilmember                                |
| <b>AYES:</b>     | Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien |

M.2 Staff Report (For Possible Action): Case No. LDC15-00039 (Southern Edge) Request for a special use permit: 1) to allow more than 4 multifamily units on a site in the Arterial Commercial (AC) zone; and 2) for a Hillside Development to develop a 56 unit apartment complex. The ±10.42 acre site will be accessed from Mica Place from the west and is located on the west side of North Virginia Street just north of its intersection with Moraine Way in the AC zone. The site has a Master Plan land use designation of Urban Residential/Commercial. This project was appealed by Thomas and Jane Taber. **[Ward 4] 10:35 PM**

**Recommendation:** The Planning Commission recommends Council approve the requested special use permit, subject to the conditions in the staff report.

**Proposed Motion:** I move to uphold the recommendation of the Planning Commission.

THIS ITEM WAS HEARD AFTER A 15 MINUTE RECESS.

Thomas Taber, appellant, requested that this item be continued due to the late hour.

Mayor Schieve asked if proper notice was given.

Interim City Clerk Beaty-Benadom stated that proper notice was given and two letters of support were received from: 1) Chris McCain, Gypsum Road; and 2) Chris Liu, Cj1737@icloud.com.

Mayor Schieve opened the public hearing.

Tom Taber, 3560 Lodestar Lane, appellant, waived the time limit and agreed to a continuance.

Jane Taber, 3560 Lodestar Lane, appellant, presented a Public Comment Form in opposition to the proposed Special Use Permit (SUP), but did not speak.

Mike Railey, 100 California Avenue #202, representing the project applicant, presented a Public Comment Form in support of the proposed SUP, but did not speak.

John and Cora Urbancic, 3565 Lodestar Lane, presented a Public Comment Form, but did not state whether they were in support or opposition to the proposed SUP, and did not wish to speak.

Mayor Schieve closed the public hearing.

THIS ITEM WAS CONTINUED TO 6:00 P.M. ON FEBRUARY 25, 2015.

|                  |   |
|------------------|---|
| <b>RESULT:</b>   | <b>CONTINUED [UNANIMOUS]</b>                                |
| <b>MOVER:</b>    | Naomi Duerr, Councilmember                                  |
| <b>SECONDER:</b> | Oscar Delgado, Councilmember                                |
| <b>AYES:</b>     | Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien |

## **N Public Comment**

NO ACTION WAS TAKEN ON THIS ITEM.

## **O Adjournment (For Possible Action)**

THE MEETING WAS ADJOURNED AT 11:27 P.M.